

U120 Rec'd PCT/PTO 03 SEP 2004

FORM PTO-1390
(REV. 12-2001)

U.S. DEPARTMENT OF COMMERCE: PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

045637.005

U.S. APPLICATION NO. (if known, see 37 CFR 1.6)

107506843
To Be AssignedTRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371INTERNATIONAL APPLICATION NO.
PCT/GB03/00939INTERNATIONAL FILING DATE
06 March 2003 (06.03.2003)PRIORITY DATE CLAIMED
06 March 2002 (06.03.2002)TITLE OF INVENTION
STOPPERS

APPLICANT(S) FOR DO/EO/US

TAYLOR, David Graham

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (**unsigned**)
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment.
14. A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. A substitute specification.
16. A change of power of attorney and/or address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825.
18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information:
 - a. Coverage of International Publication No. WO 03/074379 A2 (1 page);
 - b. International Search Report (12 pages);
 - c. Written Opinion (6 pages);
 - d. International Preliminary Examination Report (12 pages);
 - e. Certificate of Mailing Under 37 CFR § 1.10 (1 page); and
 - f. Return Receipt Postcard.

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|--|---|--|-----------|-----------|
| U.S. APPLICATION NO. or known, see 37 CFR 1.1 107506845 | INTERNATIONAL APPLICATION NO. PCT/GB03/00939 | ATTORNEY'S DOCKET NUMBER 045637.005 | | |
| <p>21. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,080.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2) paid to USPTO \$770.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</p> | | CALCULATIONS PTO USE ONLY | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | \$ 920.00 | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | \$ | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ |
| Total Claims | 41 - 20 = | 21 | x \$18.00 | \$ 378.00 |
| Independent Claims | 4 - 3 = | 1 | x \$86.00 | \$ 86.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | + \$280.00 | | |
| TOTAL OF ABOVE CALCULATIONS = | | \$ 464.00 | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | \$ | | |
| SUBTOTAL = | | \$ 1,384.00 | | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)) | | \$ | | |
| TOTAL NATIONAL FEE = | | \$ | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. | | + \$ | | |
| TOTAL FEES ENCLOSED = | | \$ 1,384.00 | | |
| | | Amount to be refunded: | \$ | |
| | | charged: | \$ | |
| <p>a. <input checked="" type="checkbox"/> Checks in the amount of <u>\$1,384.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4300</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> | | | | |
| <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> | | | | |
| <p>SEND ALL CORRESPONDENCE TO:</p> <p>Customer No.: 25,461</p> <p>SMITH, GAMBRELL & RUSSELL, LLP 1230 Peachtree Street, N.E. Suite 3100, Promenade II Atlanta, GA 30309-3592 Telephone: (404) 815-3741 Facsimile: (404) 685-7041</p> | | | | |
|  Dale Lischer SIGNATURE | | | | |
| <u>Dale Lischer</u> NAME | | | | |
| <u>28,438</u> REGISTRATION NUMBER | | | | |

10/506843

DT0453'd PCT/PTO 03 SEP 2004

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as express mail in an envelope addressed to:

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: DO/EO/US

on September 3, 2004

EV463457932US

Express Mail Label No. EV463457932US

Lucy Kimsey
Signature

Lucy Kimsey

Inventor(s) : TAYLOR, David Graham
Serial No. : To Be Assigned
Filing Date : Concurrent Herewith
Title : Stoppers
Atty. Dkt. No. : 045637.005

The correspondence includes the following documents:

1. \$1,384.00 Check for Filing Fee;
2. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (2 pages, in duplicate);
3. Preliminary Amendment (6 pages);
4. Declaration (2 pages, unsigned);
5. Coverpage of International Publication No. WO 03/074379 A2 (1 page);
6. International Search Report (12 pages);
7. Written Opinion (6 pages);
8. International Preliminary Examination Report (12 pages);
9. Information Disclosure Statement and Form PTO/SB/08a Information Disclosure Statement with 15 foreign patent references (210 pages);
10. Certificate of Mailing Under 37 CFR §1.10 (1 page); and
11. Return Receipt Postcard.